SINGLE BENCH

C.S. 1001-

(1) 3

IN THE HIGH COURT OF JUDICATURE AT BILASPUR: CHHATTISGARH

W.P.NO. 3703 /2005

PETITIONER

1. Satya Power and Ispat Pvt. Ltd. a company registered under Companies Act, 1956, Through its Director, registered office situated at Chinar Complex, Link Road, Bilaspur, Chhattisgarh and the Unit is located at Gatauri, Ratanpur Road, Distt. Bilaspur(CG).

P.R. No. 3814/05
Presented by Sh. [illegible]
dated 4/8/05

- Versus -

RESPONDENTS

1. Union of India,
Ministry of Steel,
Udyog Bhawan,
New Delhi.

RECEIVED-COPY
4.8.05
CLERK to A. G. BILASPUR

2. Coal India Limited,
Through: Secretary,
Ministry of Coal,
Shastri Bhawan,
New Delhi

3. South Eastern Coal Fields Ltd. Through C.M.D., Seepat Road, SECL, Bilaspur.

WRIT PETITION UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF AN APPROPRIATE WRIT, ORDER, DIRECTIONS, ETC.

XI-HC-22

(80)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P. No. 3703/05

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

12.8.2005

Shri Kishore Shrivastava, Senior Advocate with Shri Ashish Shrivastava, Advocate and Shri Prem Francis, Advocate for the Petitioner.

Shri R. Pradhan, counsel for the Respondent No.1.

Heard.

Learned counsel for the petitioner submits that the Respondent No.1 may be directed to decide the application dated 26.10.2004 (Annexure P/2) made by the petitioner regarding Coal Linkage for Sponge Iron Plant of the petitioner at Chhattisgarh.

The case of the petitioner is that the petitioner is a company registered under the Companies Act, 1956 and is named & styled as 'Satya Power and Ispat Pvt. Ltd.'. The company has set up a 2 x 100 TPD Modern Sponge Iron manufacturing plant on a land about 25 acres at Gram Gatauri, District- Bilaspur. The Respondent No.1 Ministry of Steel is having right to determine the requirement of distribution of coal to steel plant. The plant capacity of the petitioner has been estimated as 66000 metric ton of sponge iron per annum and to work the sponge iron plant continuously without break, the basic raw material such as iron ore, dolomite and non-cooking coal are required. The requirement of coal estimated for running the plant continuously is approximately 1.4 million tones per annum.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(81)

आदेश पत्रक

मामला क्रमांक 3703/05 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

The petitioner has located the procurement of coal from coal mines of South Eastern Coalfields Ltd. Of Gevra, Korba, Kusmunda area. For that purpose the petitioner is required to obtain a regular coal linkage for which the petitioner has approached the Ministry of Steel, which in turn, will determine the requirement of coal with the help of the prescribed norms of production, and the supply would be made by the coal companies/Respondent No.3 on the basis of the linkage established by the competent Linkage Committee. The coal excavated by the companies is first supplied to priority consumers such as core sector industry and thereafter the surplus coal is put to auction to other consumers. According to the policy of the Govt. of India, the petitioner is also covered as core sector industry and under the policy, the consumers desirous of a regular coal linkage for supply of coal are required to route their application through the concerned Ministry to the Chairman. For establishing a steel plant, the application has to be routed through the Ministry of Steel. A committee in the nomenclature as Standing Linkage Committee decides the application for linkage. In order to meet its requirement of continuous, uninterrupted and regular supply of coal the petitioner moved an application to the Ministry of Steel for regular coal linkage for the sponge iron plant at Chhattisgarh vide application dated 26.10.2004, a copy of

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... 3703/05 ..... **सन् 200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित – 3 –	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

the same is Annexure P/2. Thereafter the Respondent No.1 vide letter dated 28.12.2004 acknowledged the application asking to furnish further details. Further details were furnished on 29.12.2004 by the petitioner, and respondents have acknowledged the same, but the said application is still pending consideration and the same is not being decided by the respondent No.1. Learned counsel for the petitioner submits that the Respondent No.1 may be directed to decide the application of the petitioner which is pending consideration before the Respondent No.1, to which learned counsel for the Respondent No.1 has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case the Respondent No.1 is directed to decide the application dt. 26.10.2004 (Annexure P/2) in the next meeting of the Standing Linkage Committee, in accordance with law.

With the above direction this petition stands disposed of finally.

Certified copy, as per Rules.

Sd/-
L.C.BHADOO
Judge

(पीछे देखिये)